

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LEONARD HATTEN, JR.,

Defendant.

8:20CR36

ORDER

This matter is before the Court on defendant Leonard Hatten, Jr.'s ("Hatten") Objection to Magistrate Judge's Order and Motion to Reopen and Review Detention (Filing No. 129). Specifically, Hatten objects to the Magistrate Judge's Order of August 16, 2022, granting codefendant Spencer Allen Scott's Motion to Continue Trial (Filing No. 127). That motion was granted and the jury trial in this matter was continued to November 28, 2022 (Filing No. 128). He also seeks a speedy-trial calculation and a detention hearing from this Court.

In support of his objection, Hatten states he has been detained in this matter since March 6, 2020, and has been awaiting trial for over two and a half years. In reviewing the background and progression of this case, the Court notes that many factors justify this delay. In December of 2020, the Indictment was superseded adding the third defendant in this matter, Donovan Shaw. Counsel for each of the defendants have requested and received continuances of the trial date in this matter, including Hatten. In addition, trial was continued on a number of occasions due to the COVID-19 restrictions which delayed all trials.

While Hatten's concern about the amount of time he has been in custody is understandable, this Court's review of the docket progression in this matter confirms the continuances and delays were necessary and appropriate. Consequently, Hatten's

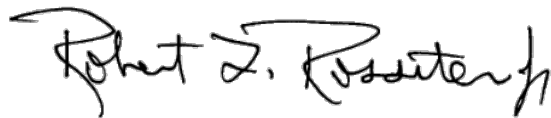
objection to the Magistrate Judge's Order is denied. The Court does note that no further motions to continue the November 28, 2022, trial date will be granted without the agreement of all defendants or a showing of good cause.¹

Finally, Hatten requests that detention be reconsidered and that he be granted a hearing pursuant to 18 U.S.C. § 3142(f). The matter of detention is referred to Magistrate Judge Michael D. Nelson for disposition.

IT IS SO ORDERED.

Dated this 7th day of September 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge

¹Hatten seeks a finding on a speedy-trial calculation. The Court declines to do so.